REMARKS

Reconsideration of this application, as amended, is respectfully requested.

Claims 24-37 and 52-75 are pending. Claims 24-37 and 52-75 stand rejected.

Claims 24, 25, 27, 30, 35-36, 37, 52, 55-60, 63, 64, 68-72, 74, and 75 have been amended. No claims have been cancelled. No claims have been added. Support for the amendments is found in the specification, the drawings, and in the claims as originally filed. Applicants submit that the amendments do not add new matter.

Rejections Under 35 U.S.C. § 103(a)

Claims 24-37 and 52-75 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 5,615,400 of Cowsar et al. ("Cowsar") in view of U.S. Patent No. 4,695,949 of Thatte et al. ("Thatte").

Applicants have amended claim 24 to indicate that the software library is scheduled to be unloaded automatically without an explicit unload request from the application or other software module.

The Examiner acknowledges that Cowsar does not teach "automatically scheduling the unloading of the library implementation module" (p. 3, Office Action 01/26/05). The Examiner, however, cites a memory management technique of Thatte for such teaching.

Applicants respectfully disagree. Thatte discloses a completely different apparatus, which counts references in memory blocks to identify garbage memory blocks. More specifically, Thatte discloses that if a reference count of a memory block drops to zero, the virtual address of such memory block is stored in a hash table, which identifies garbage memory blocks (col. 7, lines 27-39, col. 8, lines 27-38).

Thatte, in contrast to the presently claimed subject matter, merely discloses storing in a hash table the virtual address of the memory block, which memory reference count becomes zero, to identify the memory block as a garbage memory block, and not

automatically unloading from memory the library implementation module after the execution of the library routine is completed, wherein the software library is scheduled to be unloaded automatically without an explicit unload request from the application or other software module, as claimed by Applicants in claim 24.

Thus, neither Cowsar, nor Thatte discloses, teaches, or suggests such limitation of amended claim 24. Thatte does not disclose the scheduling of unloading. Furthermore, Thatte does not disclose that this scheduling is to occur before the execution of the library routine is completed as in claim 25.

Consequently, even if Cowsar and Thatte were combined, such combination would lack such limitation of amended claim 24.

Therefore, Applicants respectfully submit that amended claim 24 is not obvious under 35 U.S.C. § 103 (a) over Cowsar in view of Thatte.

Applicants respectfully submit that the other independent claims 27, 36, 52, 55-60, 63, 64, 68, 74, and 75 are also not obvious under 35 U.S.C. § 103 (a) over Cowsar in view of Thatte. Thatte simply does not disclose the scheduling of unloading.

Given that claims 25-26, 28-35, 37, 53-54, 61-62, 65-67, and 69-73 depend, directly or indirectly, from respective independent claims 24, 27, 36, 52, 55-60, 63, 64, 68, 74, and 75, and add additional limitations, Applicants respectfully submit that claims 25-26, 28-35, 37, 53-54, 61-62, 65-67, and 69-73 are likewise not obvious under 35 U.S.C. § 103 (a) over Cowsar in view of Thatte.

Double Patenting

Claims 24-37 and 52-75 are rejected under the judicially created doctrine of obviousness –type of double patenting as being unpatentable over claims 1-77 of prior U.S. Patent No. 6,314,566 in view of Cowsar (U.S. patent 5,615, 400).

The terminal disclaimers in compliance with 37 CFR 1.321 (c) are filed herewith to overcome the rejection.

It is respectfully submitted that in view of the amendments and arguments set forth herein, the applicable rejections and objections have been overcome. If there are any additional charges, please charge Deposit Account No. 02-2666 for any fee deficiency that may be due.

Respectfully submitted,

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Date: May 26, 2005

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